

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 07-318 (1) (RHK/JJG)

Plaintiff,

ORDER OF DISMISSAL

v.

Derrick Lashawn Smith,

Defendant.

IT IS HEREBY ORDERED that pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States' Motion for Dismissal (Doc. No. 35) is hereby **GRANTED** and the Indictment against the above-named Defendant is **DISMISSED**.

Dated: January 17, 2008

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge